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Attorney for Defendant
DAVID TALCOTT USSERY

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. Cr. S 05-34 LKK
Plaintiff,)
) **REQUEST TO MODIFY SCHEDULING**
v.) **ORDER; ORDER**
DAVID TALCOTT USSERY,)
Defendant.)
)
)

Defendant DAVID TALCOTT USSERY, by and through his attorney, Assistant Federal Defender David M. Porter, hereby requests the Court issue the order lodged herewith modifying the briefing schedule in conjunction with the filing of an amended motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2), because of unanticipated difficulties in obtaining the sentencing transcript. Counsel for plaintiff, Assistant U.S. Attorney Anne E. Pings, graciously indicated

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1 that she has no objection to the proposed schedule.

2 Dated: May 6, 2008

3 Respectfully submitted,

4 DANIEL J. BRODERICK
Federal Defender

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6 /s/ David M. Porter
7 DAVID M. PORTER
Assistant Federal Defender

8 Attorney for Movant
DAVID TALCOTT USSERY

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10 O R D E R

11 For the reasons set forth above, and good cause appearing
12 therefor, the Court modifies the briefing schedule as follows:

13 Amended Motion: Due June 10, 2008
14 Government Response: Due June 24, 2008
15 Reply: Due July 1, 2008
16 Hearing: July 8, 2008 at 9:30AM.
17 IT IS SO ORDERED.

18 Dated: May 8, 2008

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20 LAWRENCE K. KARLTON
SENIOR JUDGE
21 UNITED STATES DISTRICT COURT
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